

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

RAI STRATEGIC HOLDINGS, INC. and
R.J. REYNOLDS VAPOR COMPANY,

Plaintiffs and Counterclaim Defendants,

v.

ALTRIA CLIENT SERVICES LLC; PHILIP
MORRIS USA, INC.; and PHILIP MORRIS
PRODUCTS S.A.,

Defendants and Counterclaim Plaintiffs.

Civil No. 1:20-cv-00393-LO-TCB

**MOTION FOR PARTIAL SUMMARY JUDGMENT BY PLAINTIFFS
RAI STRATEGIC HOLDINGS, INC. AND R.J. REYNOLDS VAPOR COMPANY**

Plaintiffs RAI Strategic Holdings, Inc. and R.J. Reynolds Vapor Company move under Rule 56 of the Federal Rules of Civil Procedure for summary judgment in their favor on the following issues arising from Defendants' counterclaims: (1) invalidity of U.S. Patent No. 10,420,374; (2) non-infringement of U.S. Patent No. 10,104,911; and (3) no willful infringement of any asserted patent.

Counsel for Reynolds confirmed with counsel for Counterclaim-Plaintiffs on June 1-2 that Counterclaim-Plaintiffs will oppose Reynolds's motion.

The Court should enter the requested summary judgment for the reasons stated in the accompanying brief and supporting materials.

Dated: June 2, 2021

Stephanie E. Parker
JONES DAY
1420 Peachtree Street, N.E.
Suite 800
Atlanta, GA 30309
Telephone: (404) 521-3939
Facsimile: (404) 581-8330
Email: separker@jonesday.com

Anthony M. Insogna
JONES DAY
4655 Executive Drive
Suite 1500
San Diego, CA 92121
Telephone: (858) 314-1200
Facsimile: (844) 345-3178
Email: aminsogna@jonesday.com

William E. Devitt
JONES DAY
77 West Wacker
Suite 3500
Chicago, IL 60601
Telephone: (312) 269-4240
Facsimile: (312) 782-8585
Email: wdevitt@jonesday.com

Sanjiv P. Laud
JONES DAY
90 South Seventh Street
Suite 4950
Minneapolis, Minnesota 55402
Telephone: (612) 217-8800
Facsimile: (844) 345-3178
Email: slaud@jonesday.com

Respectfully submitted,

/s/ David M.
Maiorana
David M. Maiorana (VA Bar No. 42334)
Ryan B. McCrum
JONES DAY
901 Lakeside Ave.
Cleveland, OH 44114
Telephone: (216) 586-3939
Facsimile: (216) 579-0212
Email: dmaiorana@jonesday.com
Email: rbmccrum@jonesday.com

John J. Normile
JONES DAY
250 Vesey Street
New York, NY 10281
Telephone: (212) 326-3939
Facsimile: (212) 755-7306
Email: jjnormile@jonesday.com

Alexis A. Smith
JONES DAY
555 South Flower Street
Fiftieth Floor
Los Angeles, CA 90071
Telephone: (213) 243-2653
Facsimile: (213) 243-2539
Email: asmith@jonesday.com

Charles B. Molster, III Va. Bar No. 23613
THE LAW OFFICES OF
CHARLES B. MOLSTER, III PLLC
2141 Wisconsin Avenue, N.W. Suite M
Washington, DC 20007
Telephone: (703) 346-1505
Email: cmolster@molsterlaw.com

*Counsel for Plaintiffs RAI Strategic
Holdings, Inc. and R.J. Reynolds Vapor
Company*

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of June, 2021, a true and correct copy of the foregoing was served using the Court's CM/ECF system, with electronic notification of such filing to all counsel of record.

/s/ David M. Maiorana

David M. Maiorana (VA Bar No. 42334)

JONES DAY

901 Lakeside Ave.

Cleveland, OH 44114

Telephone: (216) 586-3939

Facsimile: (216) 579-0212

Email: dmaiorana@jonesday.com